

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
HARRY ARTIS,

Petitioner,

v.

WILLIAM F. HULIHAN,

Respondent.  
-----x

BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

USDC SDNY  
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09 Civ. 9893  
(BSJ) (JCF)

Order

Before the Court are Plaintiff Harry Artis' objections to Magistrate Judge James C. Francis' Report and Recommendation ("R&R"), which recommends that the Petition be dismissed as time-barred. For the reasons provided below, the Court adopts the R&R, overrules Petitioner's objections, and dismisses the Petition.

The Court reviews de novo any portions of an R&R to which there are specific written objections. See Andino v. Fischer, 698 F. Supp. 2d 362, 368 (S.D.N.Y. 2010) (citations omitted). The Court adopts portions of an R&R that a party has not specifically objected to unless those portions are clearly erroneous or contrary to law. See id. (citations omitted).


Petitioner objects generally to Judge Francis' conclusion that Petitioner "failed to clear the high bar of demonstrating that extraordinary circumstances prevented him from filing the

petition.” (Pet. Obj. at 3.) The remainder of Petitioner’s objections reiterates the arguments made in his Memorandum in Support of Equitable Tolling of the Statute of Limitations, filed on September 28, 2011. Petitioner therefore has not raised any specific objections to the R&R. The Court finds that nothing in the R&R is clearly erroneous or contrary to law. Accordingly, the Court adopts the R&R in its entirety.

**CONCLUSION**

For the reasons provided above, Petitioner’s objections are overruled and the Court adopts the R&R in its entirety. The Petition is DISMISSED.

SO ORDERED:

  
**BARBARA S. JONES**  
**UNITED STATES DISTRICT JUDGE**

Dated: New York, New York  
February 21, 2012